

Appl. No. : 10/799,577
Filed : March 11, 2004

COMMENTS

Claims 1-24 are now pending in the present application, Claims 1, 4-7, 13, 14, and 20 having been amended, and new Claims 21-24 having been added. The claims set forth above include markings to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

Applicants would initially like to thank Examiner Matthews for the courteous interview extended to Applicants' counsel, Michael A. Guiliana, on November 15, 2005. During the interview, Applicants' counsel pointed out that none of the prior art teaches or suggests the surveillance systems recited in the claims. Additionally, Applicants' counsel and the Examiner discussed further changes to the claims. Applicants have amended the claims along the lines discussed during the interview. On the basis of the interview, the substance of which is further reflected in the comments set forth below, and in response to the Office Action mailed August 4, 2005, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Claim 13 Is Not Objectionable

Claim 13 stands objected to for failing to provide adequate antecedent basis for the term "post." In order to expedite prosecution, Applicants have amended Claim 13 solely to make Claim 13 more easily readable and not too narrow or affect the scope of the claims.

In particular, in response to the objection to Claim 13 based on the recitation of the term "post," Applicants have amended Claim 13 to recite "pole" as requested by the Examiner. Thus, because the term "pole" is no longer recited in Claim 13, the present objection is moot.

Further, Applicants expressly reserve the right to further prosecute the original version of Claim 13 through continuation practice.

The Cited References Do Not Anticipate Claims 1, 4, 5, 7-11, 14, and 15

Claims 1, 4, 5, 7-11, 14, and 15 stand rejected under 35 U.S.C. § 102 as being anticipated by at least one of U.S. Patent No. 4,474,439 issued to Brown, U.S. Patent No. 6,175,343 issued to Mitchell et al., U.S. Patent No. 5,986,576 issued to Armstrong and U.S. Patent No. 5,434,614 issued to Dainty. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants

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have amended Claims 1 and 14. Applicants expressly reserve the right to further prosecute the original version of Claims 1-12 and 14-19 through continuation practice.

As noted during the interview, Armstrong is directed to a traffic light having essentially all of its electronic equipment in the traffic light head, with the exception of the power supply 36 (see Figure 4 of Armstrong). Armstrong, however, fails to disclose a surveillance system including a camera on a support pole or assembly and electronics equipment in the base for receiving signals from the surveillance equipment. Rather, the only equipment in the base of the system of Armstrong is, as noted above, the power supply 36.

Dainty teaches an aerial photography system with a camera mounted at the top of a pole 28 and with recorder equipment disposed in a truck 22 to which the pole is mounted. However, none of the recording equipment disclosed in Dainty is disposed in a base which supports the pole 28. Rather, as specifically noted in the specification, the support pole 28 is mounted to the tailgate 58 (Figure 3) or the bed 26 (Figure 1) of the truck 22. Nothing in Dainty suggests that the pole 28 of Dainty should be mounted to a hollow enclosure which encloses all of the recording equipment 32 in Dainty.

During the interview, Brown was also discussed in great detail. As shown in Brown, for example in Figure 1 thereof, there are controls for the camera and/or recorder, identified generally by the reference numeral 20, mounted adjacent the base. This arrangement provides the functionality that is the focus of the Brown patent.

For example, the Brown patent is directed to a camera support for holding a camera at an elevated position while allowing the user to stand next to the base and control the camera, somewhat remotely. This type of system is contrary to the goals of the systems and method recited in the claims of the present application.

As is made clear from the specification of the present application, the systems and method recited in the present claims provide an advantage in that surveillance can be performed, in an *unmanned* manner, while the recording devices and controls are protected. In contrast, the system of Brown is specifically designed to allow a user to operate the camera and recording devices from outside the base. Thus, Brown clearly fails to teach or suggest a surveillance system with no controls for the surveillance equipment disposed outside and adjacent to the base.

Mitchell et al. is directed to a coin-operated binocular system having all of its electronics disposed on the unit mounted to the top of the pole 130. No electronics are

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disposed in the base of the system of Mitchell. Rather, as shown in Figure 4B of Mitchell et al., only wires 440 pass through the base 430.

In contrast to the teachings and suggestions of these references, Claim 1 now recites “A surveillance system comprising: a surveillance assembly, including a platform adapted to support surveillance equipment for providing observations of an area in a vicinity of the surveillance system; a base, including a substantially hollow enclosure containing electronics equipment for receiving signals from the surveillance equipment, wherein no electronics for controlling the surveillance equipment are disposed outside the hollow enclosure and adjacent the base; a support assembly defining an internal passageway having an upper portion mounted to the surveillance assembly and a lower portion detachably mounted to the base thereby supporting the support assembly in an upright freestanding orientation; and means for connecting the surveillance equipment to the electronics equipment contained in the base.”

Similarly, Claim 14 now recites “A surveillance system comprising: a surveillance assembly, including a platform and surveillance equipment mounted to the platform for providing observations of an area in a vicinity of the surveillance system; a base configured to support the surveillance system in an upright freestanding position, including a substantially hollow enclosure containing electronics equipment for receiving signals from the surveillance equipment and a power supply for powering the electronics equipment; a substantially hollow support assembly defining an internal passageway having an upper portion mounted to the surveillance assembly and a lower portion detachably mounted to the base so as to support the support assembly in a freestanding upright position; and means for functionally connecting the surveillance equipment to the electronics equipment contained in the base without the use of any wires extending along the outside of the internal passageway.”

This distinction is important because, as noted in the specification of the present application, this arrangement provides a transportable but stable surveillance system in which the recording equipment is protected by the base itself. Thus, Applicants submit that Claims 1 and 14 clearly and nonobviously define over the cited references. Additionally, Applicants submit that Claims 2-12 and 15-19 also define over the cited references, not only because they depend from one of Claims 1 and 14, but also on their own merit.

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The Proposed Combination Of Armstrong/Gartner/Mitchell et al./Somner et al./Ely Does Not Make Claims 2, 3, 6, 12, 16, 17, 18, and 19 Obvious

Claims 2, 3, 6, 12, 16, 17, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being obvious over various combinations of Armstrong, in view of Gartner, Mitchell et al., Somner et al., and Ely. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution, Applicants have amended Claims 1 and 14, and as noted above, submit that Claims 1 and 14 clearly and non-obviously define over the applied references. Thus, Applicants submit that the present rejections are moot.

New Claim 21 Is In Condition For Allowance

Applicants have added new Claims 21-24 which recite subject matter fully supported by the specification as originally filed. Thus, no new matter has been introduced by way of the addition of Claims 21-24. Additionally, Applicants note that new Claim 21 is also in condition for allowance, not only because it depends from allowed Claim 13, but also on its own merit.

Claims 13 And 20 Are In Condition For Allowance

Applicants gratefully acknowledge the Examiner's indication that Claims 13 and 20 recited allowable subject matter. In response, Applicants have amended Claims 13 and 20 into independent form, and have also amended Claim 13 to provide clearer antecedent basis for the term "pole." Thus, Applicants submit that Claims 13 and 20 are in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any

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undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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